

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

The Applicant has amended claims 1 and 15. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-7, 9-12, 14-21 and 23 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **2.) Examiner Objections – Drawings**

Figure 2 has been objected to as containing reference characters not mentioned in the specification. Applicant directs the Examiner's attention to page 10, line 13 of the specification, wherein the definition of a DSP and the paragraph containing the definition has been amended to include the reference characters 52.

### **3.) Claim Rejections – 35 U.S.C. § 101**

The Examiner objected to Claims 1-9 and 15-23 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 1 and 15, from which claims 2-9 and 16-23 depend, respectively, to direct them to statutory subject matter.

### **4.) Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 1, 6, 7, 10-12, 15-16 and 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lavin, et al.* (Lavin) (US Patent Publication No. 2003/0037174) in view of *Hager* (Hager) (US Patent 6,532,498).

According to the Examiner. Lavin teaches the invention substantially as claimed including "a computer system having computer software loadable into a memory and executable by computer hardware, said computer software comprising code for transmitting messages between a platform domain (middleware software, paragraph [0011]); and an application domain (application A 108, application B 110, application C 112, and application O, 114, Fig. 1 are part of the application domain, paragraph [0011]); for a product, the system comprising: a platform domain having a software component

(message broker, 116, Fig. 2); and an interface component (adapter 118, Fig. 2); the interface component having at least one interface (plug 140, Fig. 5); for providing an application or a module in the application domain (application, 108, 110, 112, and 114 Fig. 5); with access to the software component (message broker, 116, Fig. 5); and a message transmitting mechanism (socket 136, Fig. 5, paragraph [0076]); for transmitting messages between the platform domain and the application domain via the interface (socket 136, maps the SDK's 130 interface 132 to the plug's 140 interface defined in socket/plug interface 146, Fig. 5, translation of data performed in socket domain, paragraph [0076])."

According to the Examiner, while Lavin teaches the invention substantially, Lavin does not specifically disclose the message transmitting mechanism including: a message model for allowing an application or another module in the application domain to select or switch between either a callback mode or a full message mode for receiving messages from the platform domain, wherein the application or the module in the application domain may change or switch between the callback mode and the full message mode at any time; and a message handler for routing messaging according to the selected mode.

However according to the Examiner, Hager teaches the message transmitting mechanism including: (page 6) a message model for allowing an application or another module in the application domain to select or switch between either a callback mode or a full message mode for receiving messages from the platform domain (col. 6, lines 7-11 and Figure 6), wherein the application or the module in the application domain may change or switch between the callback mode and the full message mode at any time (col. 6, lines 27-42); and a message handler for routing messaging according to the selected mode (Dispatcher 2g, Fig. 6, col. 6, lines 7-11).

The Examiner states it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the message broker of Lavin with the teachings of dispatcher from Hager because this feature would have provided a mechanism for a callback object 2a, and a poll object 6c representing two

types of dispatches available (col. 6, lines 7-10 and Figure 6 of Hager). Applicant respectfully traverses the rejection.

Hager discloses that there are two modes available (two types of dispatches: callback and poll, as seen in col. 7 lines 40-43 of Hager). However, in Hager, the (chosen) mode is hard coded which differs from the dualism of the present invention. The present invention provides a dualism, that is, a way of switching between the two modes in run time (see claims 1 and 15 wherein it states: "wherein the application may switch between the callback mode and the full message mode at any time"). The Examiner incorrectly equates the disclosure of the two modes in Hager with the dualism of the present invention. Furthermore, it is the application i.e. the client, which has the full control of and performs the switch of the modes and the actual initiation of the communication. Therefore, it would not have been obvious to a person skilled in the art to combine Lavin with Hager in order to obtain the present invention as a combination of these references would result in a message transmitting mechanism which has one of the modes (callback or poll) hardcoded, meaning that a switch between the modes in run time would not be possible.

The cited references are technically unable to obtain the advantage of the present invention wherein a component is able to handle asynchronous responses dynamically since the message transmitting mechanism of the present invention is able to switch between the two modes at run time.

Claims 2-5, and 17-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lavin, in view of *Codella et al* (Codella) (US 6,804,818 B1). Applicant respectfully traverses this rejection. First of all, inasmuch as claims 2-5 and 17-19 depend from claims 1 and 15, Applicant does not understand how the Examiner has been able to reject these claims without also citing Hager. Applicant thus believes that the Examiner meant to include Hager as a reference for the rejection of these claims, and thus, the arguments made with respect to claims 1 and 15 are equally applicable to this rejection.

Claim 9, 14 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lavin in view of *Maffeis* (Maffeis)(US Patent Application 2005/00114517).

Applicant respectfully traverses this rejection. Again, inasmuch as claims 9, 14 and 23 depend from claims 1 and 15, Applicant does not understand how the Examiner has been able to reject these claims without also citing Hagar, which was cited with respect to the rejection of claims 1 and 15. Applicant thus believes that the Examiner meant to include Hagar as a reference for the rejection of these claims, and thus, the arguments made with respect to claims 1 and 15 are equally applicable to this rejection.

#### **5.) Prior Art Not Relied Upon**

In paragraph 27 on page 10 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. None of the cited references, alone or in combination, disclose nor suggest the present invention.

### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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